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Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur

I. Introduction

1. The present report is submitted pursuant to paragraph 17 of Security Council resolution 1828 (2008), by which the Council requested me to report every 60 days on the deployment and operations of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the political process, the security and humanitarian situation in Darfur and compliance of the parties with their international obligations.

2. The report covers the month of June 2009, rather than the typical 60-day period, in order to ensure that the Council is provided with the most current information available in anticipation of its discussions on the renewal of the mandate of UNAMID which expires on 31 July 2009. In addition to the normal update on key developments, I have included a number of observations regarding the last 12 months of operations of UNAMID and some recommendations for the way forward in Darfur, for the Council's consideration.

II. Political developments

3. The delegations of the Government of the Sudan and the Justice and Equality Movement met in Doha from 27 May to 18 June 2009 to discuss the implementation of the Agreement of Goodwill and Confidence-Building for the Settlement of the Problem in Darfur signed on 17 February 2009 under the auspices of the Joint African Union-United Nations Mediation and the Government of Qatar. The parties discussed ways to move the peace process forward, particularly with respect to exchange of prisoners, cessation of hostilities and a framework agreement that would define the areas to be discussed during comprehensive negotiations.

4. However, the Justice and Equality Movement insisted that the Government release all Movement prisoners before initiating discussion on a framework agreement and cessation of hostilities, while the Government insisted upon agreeing to cessation of hostilities before any prisoner exchange. In the meantime, on 9 June 2009, a criminal court in Khartoum sentenced an additional 12 members of the Justice and Equality Movement to death for their involvement in the attacks on Omdurman in May 2008, bringing the total number of death sentences for members of the Justice and Equality Movement to 103.

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5. With no significant change in position by either party in Doha, and following considerable efforts on the part of the Mediation to find a middle ground, the talks were suspended on 18 June 2009 to allow the parties to undertake further internal consultations. The Mediation continues to work with both parties, particularly on a prisoner release timetable and elements for a framework agreement, in anticipation of reconvening in Doha in late July 2009 to press for an agreement on both of these key issues.

6. On 27 May 2009, during the most recent round of talks in Doha, the Joint Chief Mediator, Djibrill Bassolé, and his team met with the Special Envoys for the Sudan representing the Permanent Members of the Security Council and the European Union. The Envoys expressed support for the efforts of the Joint African Union-United Nations Mediation and the Doha process. The Joint Chief Mediator requested their continued active engagement in addressing the regional aspects of the conflict, in particular the relations between Chad and the Sudan, and also in ensuring that the Darfur and the Comprehensive Peace Agreement processes were taken forward in an integrated manner.

7. While talks between the Government and the Justice and Equality Movement have been suspended, the Joint Chief Mediator and his team are pressing forward with a multitrack strategy to maintain the momentum of Mediation efforts while also ensuring that the political process is inclusive. To this end, the Mediation will be encouraging the unification of all the rebel movements with a view to bringing them to Doha for negotiations. On 29 June 2009, the Mediation met the leaders of a number of Darfurian armed movements in Tripoli to discuss the Doha negotiations and work towards their effective and coherent participation in the resolution of the Darfur crisis. During these meetings, the movements declared themselves ready to engage in constructive dialogue with the Government of the Sudan in Doha. The Joint Chief Mediator will propose a date in the coming months for consultations between these movements and the Government of the Sudan, in cooperation with the Libyan and Qatari authorities. In a complementary action, the Mediation will work with the Government of Qatar to organize a consultative forum in Darfur with key opinion leaders and representatives of civil society in order to engender a sense of ownership of the peace process among these groups. In addition, the Mediation will strongly encourage the Government of National Unity to take concrete actions to improve the situation on the ground in Darfur (particularly with regard to security) based on previous agreements, including the Sudan People's Initiative.

8. In another important development, the African Union High-Level Panel on Darfur, led by former South African President Thabo Mbeki, visited Darfur for the third time, from 15 to 26 June 2009. The Panel, which has been mandated by the African Union Peace and Security Council to submit proposals to address issues of accountability for serious crimes, for expediting the peace process in Darfur and for reconciling warring parties in the region, met with representatives of Darfur civil society, tribal leaders, internally displaced persons and members of rebel groups. While in Khartoum, the Panel met with President al-Bashir and other senior Government officials, as well as members of the Justice and Equality Movement detained in Khartoum prisons. The Panel had planned to release its report in July 2009 but has postponed its submission to the African Union Commission until August 2009 to allow for further consultations.

III. Security situation

9. In my report of 9 June 2009 to the Security Council (S/2009/297), I alerted the Council to increased fighting along the Chad-Sudan border in May 2009, as well as an incursion into Western Darfur by Chadian national forces. During June 2009, there was a decline in the reported levels of violence in Western Darfur, although the armed parties along the Chad-Sudan border remained on high alert.

10. On 25 June 2009, a vehicle carrying five Chadian national forces soldiers approached the UNAMID team site in Kulbus (Western Darfur) to request water. On 26 June 2009, two vehicles carrying 23 armed Chadian national forces again approached the UNAMID team site in Kulbus with a request for water. After being refused on both occasions and reminded of the territorial integrity of the Sudan, the Chadian soldiers returned to the Chadian side of the border, several kilometres from the UNAMID team site in Kulbus.

11. Following attacks by the Justice and Equality Movement on positions near Umm Baru (Northern Darfur) in mid-May 2009, there have been no significant military operations, although Sudanese Armed Forces have maintained an increased presence and military patrolling activities in the areas of Umm Baru, Kornoi and Tine, Northern Darfur.

12. On 29 June 2009, a group of 20-25 unknown armed men attacked a UNAMID formed police unit convoy in El Geneina, firing several shots at the convoy and injuring the commander of the UNAMID formed police unit. He was transported to the Nigerian Level II hospital in El Geneina and is reportedly in stable condition.

13. There were nine incidents of carjacking reported in Darfur during the period under review, including four international non-governmental organization vehicles and five United Nations vehicles. In a positive trend, most of the vehicles stolen in the last 90 days have been recovered, often by the Sudanese police force.

IV. Humanitarian situation

14. Humanitarian assistance during the reporting period continued to focus on the ongoing efforts to address the consequences of the 4 March 2009 expulsion of 13 international non-governmental organizations and the dissolution of three national non-governmental organizations operating in Northern Sudan. The loss of the non-governmental organizations initially affected some 1.1 million beneficiaries receiving food assistance, 1.5 million accessing health services, 1.16 million receiving water and sanitation support, and 670,000 receiving non-food items. Joint efforts by the Government of the Sudan, the United Nations and the remaining non-governmental organizations have helped to narrow the gaps in the four life-saving sectors, but concerns remain about the quality and standard of aid delivery.

15. As at 30 June 2009, the number of national and international aid workers in the region had dropped from a pre-expulsion level of 17,700 to 12,658. With the rainy season approaching, serious concerns remain regarding the impact this reduction in personnel will have on the ability of the humanitarian community to reach and assist all those most in need, particularly in remote locations.

16. During the period under review, the World Health Organization (WHO) observed an increase in severe diarrhoea cases in a number of internally displaced

persons camps in Southern Darfur. In addition, WHO stated that the risk of a cholera outbreak in Darfur this year was higher in Gereida, Kalma, Al Salam, Otash and Kass camps. WHO indicated that one of the primary reasons for the increases in water and sanitation-related diseases in the camps was the sanitation and hygiene gap caused by the expulsions of humanitarian non-governmental organizations by the Government of the Sudan.

17. Humanitarian interventions in Kalma camp also remained a major challenge during the reporting period. In a positive development, on 16 June 2009, the leadership in the camp agreed to allow WHO to begin preparations for a vaccination campaign (including polio) within the camp. At the same time, only one of three international non-governmental organizations that are ready to provide water and sanitation services in Kalma has received clearance from the Government of the Sudan to do so. Finally, negotiations continue with the camp leadership regarding the continuation of a much needed programme to address malnutrition in the camp. This is particularly important as the supplementary feeding programme previously carried out has been suspended since the 4 March 2009 expulsion of the humanitarian agency responsible for its implementation.

18. From 11 to 13 June 2009, presidential adviser Ghazi Salah Al-Deen, State Minister for Humanitarian Affairs Abdul Bagi Al-Jailani, and Commissioner of the Sudanese Humanitarian Aid Commission Hassabo Mohammed Abdel Rahman visited the three Darfur states to obtain a first-hand overview of the current humanitarian situation and to encourage state-level compliance with agreements made at the federal level regarding the delivery of aid. On 15 June 2009, the high-level committee on the humanitarian situation in Darfur, comprised of senior Sudanese Government officials, representatives of the diplomatic community, regional organizations and non-governmental organizations, visited El Fasher in order to receive an update on the humanitarian situation in Northern Darfur. On 17 June 2009, the Committee met again in Khartoum, where it adopted new terms of reference for its work which expanded the scope of the Committee's activities beyond its original focus on monitoring critical life-saving sectors to include priority areas such as protection, education and recovery.

V. UNAMID operations

19. During the reporting period, from 1 to 30 June 2009, UNAMID military conducted 635 confidence-building patrols, 1,356 escort patrols, 285 night patrols and 16 investigation patrols covering 1,364 villages. UNAMID police carried out a total of 2,795 patrols inside camps for internally displaced persons including firewood escorts, and 1,139 outside the camps, including town and village patrols. The security level for UNAMID remains at Phase IV.

20. On 21 June 2009, a UNAMID escort patrol was refused passage through a Government checkpoint 5 kilometres north-east of El Fasher on the grounds that the mission had failed to notify the Government authorities prior to patrolling. However, UNAMID had notified the authorities in advance of the patrol.

21. During the reporting period, UNAMID police assisted in the construction of a community policing centre in Tawila (Northern Darfur), which brings the total number of completed centres to four (including centres at Abu Shouk, Zam Zam and Kalma) out of an authorized 83 centres.

22. As at 30 June 2009, a total of 201 quick-impact projects had been approved by the mission and were in various stages of implementation. Fifty-six per cent of the projects concern the education sector, while health and sanitation represented approximately 12 and 10 per cent, respectively. Thirty-nine projects (or 19 per cent of the total funded projects) have been completed, 36 of which are in Northern Darfur.

23. On 16 June 2009, the National Intelligence and Security Service released the $77,000 of quick-impact project funds it had confiscated in May 2009 in Zalingei, Western Darfur.

24. UNAMID carried out 28 human rights monitoring missions during the reporting period, during which it documented 13 cases of arbitrary and illegal arrest and detention by Government security forces. Two of the detainees have since been released, while 11 remain in detention without charges. Four of the detainees reported being subjected to cruel, inhuman or degrading treatment or torture while in detention. In a positive development, on 10 June 2009, the Government of the Sudan instructed all prisons in Northern Darfur to permit UNAMID correction officers access to the prisons.

25. On 1 June 2009, UNAMID visited detention facilities controlled by the Sudan Liberation Army/Minni Minawi in Zam Zam internally displaced persons camp, Northern Darfur, where seven detainees were being held on civil charges. UNAMID strongly urged the officers at the facility to refer the cases to a competent court in El Fasher.

26. UNAMID continued to receive reports of rape and physical assault against women and girls. The mission documented nine incidents of sexual and gender-based violence involving 20 victims, eight of whom were below the age of 18, and 18 of whom were internally displaced persons. However, the numbers of reported sexual and gender-based cases have dropped in Zalingei (Western Darfur), where internally displaced persons have initiated self-protection methods, including group movement with men and youth, and where UNAMID police have intensified escorts for firewood collection.

27. On 9 June 2009, the UNAMID voluntary returns working group, led by the UNAMID Deputy Joint Special Representative, travelled to Donki Dreisa and Muhagiriya (Southern Darfur) where some 1,500 residents were reported to have returned to their homes. On 17 June, the team visited Seraf Jidad, Western Darfur, where the inhabitants of approximately 2,100 households have reportedly returned to their homes. In both locations the team met traditional leaders and returnees and discussed how to facilitate a secure environment for the return of internally displaced persons. All UNAMID activities related to returns are undertaken in accordance with its mandate and in full coordination with the humanitarian community.

28. During the reporting period, several unexploded ordnance were recovered in the area of Umm Baru, Western Darfur, following the May 2009 fighting between the Justice and Equality Movement and Sudan Liberation Army/Minni Minawi and the Government of the Sudan. On 18 June, a 12-year-old boy was killed by unexploded ordnance 70 kilometres from El Geneina, Western Darfur. After more than three months of suspension of mine action activities, the Government of the Sudan partially lifted its restrictions in June 2009 to allow mine clearance only in

UNAMID sites. Wider operations, such as mine risk awareness and clearance in other areas in Darfur, remain suspended.

VI. UNAMID deployment

29. As at 30 June 2009, the total strength of UNAMID military personnel was 13,430 out of a total authorized strength of 19,555, including 12,806 troops, 365 staff officers, 178 military observers and 84 liaison officers. The current deployment represents 68 per cent of the authorized strength.

30. The movement of contingent-owned equipment continues to be relatively unobstructed, although several important issues remain unresolved. Sixty-two Nigerian armoured personnel carriers, which arrived in Port Sudan on 1 May 2009, and 122 Rwandan vehicles, which arrived on 6 March 2009, are still awaiting customs clearances from the Government.

31. In addition, delays by the Government of the Sudan in granting both customs clearances and permission for United Nations-contracted vessels to disembark in Port Sudan have slowed the movement of critical equipment into Darfur and resulted in more than $1 million in demurrage charges to the United Nations.

32. In my report of 9 June 2009 to the Security Council (S/2009/297) I drew the Council's attention to the ongoing process of withdrawing 103 Canadian armoured personnel carriers from the mission area. The orderly withdrawal of these vehicles has been closely coordinated with Canada and, as of 30 June 2009, all 103 vehicles had been withdrawn from UNAMID operations. As is standard practice for peacekeeping operations, troop-contributing countries are responsible for providing the equipment for the units they deploy, including armoured personnel carriers. In this context the replacement of the Canadian armoured personnel carriers with those provided by incoming troop-contributing countries is well under way. Canada's engagement throughout this replacement process and generous extension of the use of the vehicles for six months beyond the original deadline is greatly appreciated and contributed significantly to the maintenance of the mission's core operations during its critical start-up phase.

33. On 18 June 2009, the second Ethiopian infantry battalion began its deployment via road and rail from Addis Ababa to Nyala and is expected to arrive by the second week of July 2009, in order to coincide with the arrival of the battalion's contingent-owned equipment. This battalion is expected to deploy to Graida, Southern Darfur, and Sileah, Western Darfur. Efforts are also well under way to facilitate the deployment of the Ethiopian tactical helicopters, including ongoing discussions regarding the memorandum of understanding and letter of assist arrangements.

34. The continued lack of key military enabling units, including two medium transport units, an aerial reconnaissance unit, 18 medium utility helicopters and a Level II hospital, continues to be a source of serious concern.

35. As at 30 June 2009, the strength of UNAMID police personnel was 2,983 (1,868 police advisers and eight formed police units totalling 1,115 personnel), representing 41 per cent of the approved strength. The main body of the fourth Bangladeshi formed police unit was deployed on 12 June 2009.

36. As at 30 June 2009, the number of civilian personnel stood at 3,608 (1,023 international, 2,250 national and 335 United Nations Volunteers), representing 65 per cent of the approved strength of 5,557. Since the start of the mission, a total of 117 international staff members have departed UNAMID and 159 selected international candidates have declined offers of appointment, which constitutes 27 per cent of the currently recruited international staff. This trend reflects the serious challenges of harsh living conditions and health risks associated with living in Darfur.

37. While 961 visas were issued to UNAMID staff by the Government of the Sudan during the period under review, continued delays in the processing of visa requests by the Government have resulted in 326 visa applications pending as at 30 June 2009.

VII. Financial arrangements

38. The General Assembly, by its resolution 63/258 B, appropriated the amount of $1,598.9 million for the maintenance of the mission for the period from 1 July 2009 to 30 June 2010. Should the Security Council decide to extend the mandate of the mission beyond 31 July 2009, the cost of maintaining the mission would be limited to the amount approved by the General Assembly for the 2009/10 period.

39. As at 30 April 2009, unpaid assessed contributions to the special account for the mission amounted to $200 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,754.5 million.

40. Reimbursement to troop- and police-contributing Governments for the cost of troop and formed police units and for contingent-owned equipment have been made for the periods up to 31 May 2009 and 13 March 2009, respectively.

VIII. Observations

41. In the 18 months since the transfer of authority from the African Union Mission in Sudan to UNAMID on 31 December 2007, UNAMID has faced a number of serious challenges in its efforts to implement its mandate. While large-scale conflict has decreased over time, the security situation in Darfur has been volatile since the transfer of authority, posing an ongoing threat to civilians and placing enormous stress on the mission.

42. The security environment and the logistic and climatic difficulties intrinsic to operating in Darfur have placed particularly heavy demands on the mission's military and police units. In order to function in such a setting, troop- and police-contributing countries have been required to deploy units with extraordinary capabilities for self-sustainment. Preparing these units to deploy has been time-consuming and onerous. Ensuring that they stay capable in the field and replacing them on rotation will be an ongoing challenge for troop-contributing countries, their partners in the donor community and the United Nations Secretariat.

43. In this connection, the mission has dedicated considerable energies to developing modalities for collaboration with the Government of the Sudan. Some areas require additional effort. The speed with which visas are issued for UNAMID

personnel is a particularly serious concern. It is also important to acknowledge that there continue to be instances where Khartoum-based decisions to support UNAMID work are not implemented locally. This relates especially to freedom of movement for UNAMID personnel and customs clearances to allow equipment into the Sudan. On the whole, however, there has been considerable improvement in the quality of the Government's cooperation with the mission and the tripartite mechanism has become an extremely effective tool for ensuring that operational impediments faced by the mission are identified and addressed.

44. The tremendous challenges associated with bringing capable units into Darfur and developing an effective and transparent working relationship with the Government have absorbed a considerable amount of the mission's energies over the course of its first 18 months.

45. This is beginning to change. The number of units on the ground has been steadily increasing and will continue to do so. It is our expectation that all pledged units will be in place and fully operational by 31 December 2009, constituting 92 per cent of the mission's total authorized strength. In the meantime, mechanisms for cooperation with the Government are functioning more effectively over time. Both developments will put UNAMID in a position to dedicate more time to the implementation of its mandate and less time to deployment-related issues.

46. As the mission does so, its priority will continue to be the protection of civilians and facilitation of humanitarian assistance. Protection, in particular, has always been a fundamental task of the mission. It is important to note, however, that the environment in which UNAMID works has changed in significant ways from the time when it was established. Large-scale violence stretching over a wide territory and for lengthy periods is now infrequent. Many internally displaced persons camps, some now five years old, are now entrenched, while at the same time, small-scale but consistent spontaneous returns are occurring in some locations. These developments require that UNAMID and the international community recognize, adapt and respond to evolving security realities in Darfur.

47. Nevertheless, the situation for the civilians of Darfur continues to be deeply troubling, with 2.6 million internally displaced persons unable to return to their homes and some 4.7 million Darfurians in need of assistance. Meanwhile, banditry and sexual violence continue to plague civilians throughout Darfur.

48. While UNAMID will continue to work towards full implementation of its mandate in the face of the ongoing crisis in Darfur, a definitive end to the conflict can only be achieved through a comprehensive political solution which complements the broader national context and is supported fully by the international community and the Security Council. In this regard, the Joint African Union-United Nations Mediation is focused on an inclusive approach that meaningfully incorporates all stakeholders into the political process. This approach recognizes that, while the Government of the Sudan bears the key responsibilities for achieving a sustainable resolution to the crisis, all stakeholders, including rebel groups, traditional Darfurian leaders and civil society leadership, must have a voice and invest fully in the peace process.

49. As the Mediation advances this initiative, it will receive support from UNAMID in key areas. The mission, and particularly its civil affairs and Darfur-Darfur Dialogue and Consultation components, will be able to provide invaluable

assistance to the Mediation in its engagement with civil society. Similarly, and in due course, the mission will provide technical advice to the Mediation regarding provisions required to monitor a future cessation of hostilities.

50. Resolution of the conflict will also have to address the regional dynamics influencing the Darfur crisis. In this regard, I remain deeply concerned by continued instability on the Chad-Sudan border and the inflammatory rhetoric of both Governments when their relations are discussed. I again call on both Governments to exercise restraint, to cease support for one another's rebel groups and to normalize their bilateral relations.

51. With respect to the ongoing Darfur-related cases before the International Criminal Court, I reiterate that the United Nations respects the independence of the Court and the judicial process and I strongly underscore the determination of the United Nations to continue to conduct its vital mediation, peacekeeping, humanitarian, human rights and development operations in the Sudan. I furthermore urge the Government of the Sudan to address the issues of peace and justice in a manner consistent with Security Council resolution 1593 (2005).

52. UNAMID represents a unique strategic partnership between the African Union and the United Nations in which both organizations will continue to work closely together to address the many challenges facing the Sudanese in Darfur. In this context, I welcome the African Union initiative to establish the High-level Panel on Darfur and look forward to the report of President Mbeki and his distinguished colleagues, which is expected to contain specific suggested measures to facilitate African Union-United Nations mediation efforts.

53. Taking into account the many complex challenges facing Darfur, I recommend that the Security Council consider extending the mandate of UNAMID for a further period of 12 months, until 31 July 2010.

54. In conclusion, I would like to express my appreciation to all UNAMID personnel and their colleagues from the humanitarian community, who are working in Darfur under extremely difficult conditions. I also would like to thank Member States, including donor and troop-contributing countries, for their continued support of the deployment and operations of UNAMID, and for their efforts to encourage the parties to stop the cycle of violence and instead work towards a peaceful solution to the crisis in Darfur.